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January 6, 2021

Via ECF

Hon. Ronnie Abrams, U.S.D.J.
United States District Court for the
Southern District of New York
Thurgood Marshall United States Courthouse
40 Foley Square, Courtroom 1506
New York, New York 10007

Re: Sarit v. Westside Tomato, Inc., et al.
Civil Case No. 1:18-cv-11524-RA

Dear Judge Abrams,

Please accept this letter as a joint submission by all parties to advise of the status of discovery.

The parties, due to various reasons including counsel for Plaintiff's unfortunate diagnosis of the illness that resulted in being out of the office for a month, have been unable to proceed into formal discovery.

Further, as there are pending motions to amend and dismiss, the parties believe that the discovery schedule needs amendment to take into consideration the anticipated status of the case. The parties do not believe that this will cause prejudice to either party as both sides await clarity as to what the final claims will be for discovery purposes.

The Parties request that, after ruling on the two pending motions, that the Court set a case management conference to set a final discovery schedule which shall also include an application for provisional certification of the collective pursuant to the FLSA.

Respectfully submitted,

Joshua M. Lurie, Esq.

JML:me

cc: All counsel (via ECF)